

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MASONRY INSTITUTE, BRICKLAYERS)	
LOCAL 21 PENSION FUND, DISTRICT)	
COUNCIL TRAINING CENTER FUND,)	
AND BRICKLAYERS AND STONE)	
MASONS OF ILLINOIS DISTRICT COUN-)	
CIL NO. 1 B.A.C. ANNUITY TRUST FUND,)	No. 08C 3897
)	
Plaintiffs,)	Judge Leinenweber
v.)	
)	Mag. Judge Cox
CAPEK & SONS, INC., an Illinois Corpora-)	
tion,)	
)	
Defendant.)	

NOTICE OF MOTION

TO: Thomas S. Leonard, Registered Agent
Capek & Sonc, Inc.
17103 Oak Park Avenue
Tinley Park, IL 60477

PLEASE TAKE NOTICE that the undersigned will bring on the annexed motion for hearing before Judge Leinenweber, at Room 1941, United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, on the 11TH day of September 2008, at 9:30 A.M. of that day or as soon thereafter as counsel can be heard.

/s/ Robert B. Greenberg
Asher, Gittler, Greenfield & D'Alba, Ltd.
200 West Jackson Boulevard
Suite 1900
Chicago, Illinois 60606
(312) 263-1500
IL ARDC#: 01047558

CERTIFICATE OF SERVICE

ROBERT B. GREENBERG, being duly sworn, says that he is an attorney associated with Asher, Gittler, Greenfield & D'Alba, Ltd., attorneys for Plaintiffs in this action, and that he served the attached Motion upon:

**Thomas S. Leonard, Registered Agent
Capek & Sonc, Inc.
17103 Oak Park Avenue
Tinley Park, IL 60477**

by depositing a copy in the United States mails, postage paid, at 200 West Jackson Boulevard, Chicago, Illinois 60606, on the 3rd day of September 2008.

Service was accomplished pursuant to ECF as to Filing Users, and Counsel shall comply with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.

/s/ Robert B. Greenberg
Asher, Gittler, Greenfield & D'Alba, Ltd.
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